R E M A R K S

A. ELECTION/RESTRICTION REQUIREMENT

In order to comply with the Examiner's restriction requirement, we elect for examination the subject matter designated by the Examiner as "Invention I."

The Examiner considers Claims 1-34, 36-56, 69, 70, 75-80 and 82-84 to be "drawn to a subscription method with penalties." We respectfully note that Claims 76, 78, 79, and 82-84 do not explicitly recite a "penalty." While those claimed embodiments could encompass embodiments using penalties, penalties are not explicitly required for Claims 76, 78, 79, and 82-84. In order to comply with the Examiner's distinction between subscription methods that may or may not include penalties ("Invention II") and subscription methods with penalties ("Invention I"), we have made amendments discussed below.

In response to the Examiner's restriction of inventions, we plan to file a divisional application with claims directed to the designated "Invention II."

B. CLAIM AMENDMENTS

Upon entry of this Amendment, Claims 1-34, 36-56, 69, 70, 75, and 77-80 will be pending. Claims 76 and 81-84 will be cancelled.

Claims 77-79 will be amended. No new matter has been added. Claim 77 has been amended to independent form by literally incorporating all of the limitations of Claim 76 that were previously present by reference—no change in scope has been made. Claims 78 and 79 have now been amended to incorporate by reference the limitations now described in Claim 77.
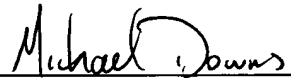
C. CONCLUSION

It is submitted that all of the claims are in condition for allowance. The Examiner's early re-examination and reconsideration are respectfully requested.

If the Examiner has any questions regarding this amendment or the present application, the Examiner is cordially requested to contact Michael Downs at telephone number (203) 461-7292 or via electronic mail at mdowns@walkerdigital.com.

Respectfully submitted,

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Date

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